

Article - Natural Resources

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§4-11A-01.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Aquaculture” means the commercial rearing of fish or aquatic plants for sale, trade, barter, or shipment.
- (c) “Aquaculture Enterprise Zone” means an area of the Chesapeake Bay approved for the leasing of submerged land or the water column by the Department in consultation with the Department of the Environment and the Wetlands Administrator of the State Board of Public Works.
- (d) “Aquaculture lease” means a lease of any submerged land or the water column located in an Aquaculture Enterprise Zone for cultivating oysters or other shellfish for commercial purposes.
- (e) “Atlantic Coastal Bays” means the waters of the Assawoman, Isle of Wight, Sinepuxent, Newport, and Chincoteague Bays and their tributaries.
- (f) “Chesapeake Bay” means the waters commonly known as the Chesapeake Bay as defined by the charts of the Oyster Survey of 1906 to 1912 and its amendments.
- (g) “Demonstration lease” means a lease of submerged land for the purpose of demonstrating the ecological benefits of growing shellfish or for research or education.
- (h) “Dredge” includes any dredge, scoop, handscrape, or similar device used in catching oysters and clams by dragging.
- (i) “Natural clam bar” means any area of submerged tidal bottom not classified as a natural oyster bar which has a population of clams of any species judged by the Secretary to have significant commercial value.
- (j) “Natural oyster bar” means any submerged oyster bar, reef, rock, or area represented as an oyster bar on the charts of the Oyster Survey of 1906 to 1912 and its amendments.

(k) “Person” means an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.

(l) “Public shellfish fishery area” means an area in which shellfish is harvested for commercial purposes.

(m) “SAV Protection Zone” means an area of submerged aquatic vegetation as mapped in aerial surveys by the Virginia Institute of Marine Sciences in 1 or more of the 5 years preceding the designation of an Aquaculture Enterprise Zone or an application for a lease under this subtitle.

(n) “Submerged land lease” means any land lying beneath the waters of the State leased by the State to any person for cultivating oysters and other shellfish for commercial purposes.

(o) “Tong” means any pincers, nippers, tongs, or similar device operated entirely by hand and consisting of 2 shafts or handles and a metal body composed of 2 opposable and complementary baskets used in catching oysters and clams.

(p) “Water column lease” means a lease of the column of water on or under the surface of the water and above the surface of the submerged land.

(q) “Yates Bar” means any submerged oyster bar, reef, rock, or area represented as an oyster bar on the charts of the Oyster Survey of 1906 to 1912, not including any amendments.

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